THE HON'BLE MR JUSTICE V.V.S.RAO

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WRIT PETITION No.27430 of 2005

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23.12.2005

Between:

Kaki Vasudeva Rao, S/o.Narayana Murthy

... Petitioner

AND

Superintendent Engineer, Roads & Buildings, Eluru

And others

...Respondents

THE HON'BLE MR JUSTICE V.V.S.RAO

-

WRIT PETITION No.27430 of 2005

ORDER:

The petitioner is statedly the owner of residential house bearing No.2-19 of Kamavarapukota in West Godavari District. He alleges that the respondents herein started demolition of the structures for the purpose of widening the road, without following due process of law. When the matter was called in the Forenoon, this Court directed the learned Assistant Government Pleader for Roads and Buildings to get instructions in the matter. In the Afternoon, when the case is called, the learned Assistant Government Pleader for the first respondent submits that the allegation that the respondents are demolishing the structures is not correct and that wherever the road widening programme is taken up in other parts of Kamavarapu Thota, the same is continued after obtaining the consent of the owners. Therefore, this Court holds that the writ petition is filed without any factual foundation. However, if the petitioner's property is required for the purpose of road widening, the respondents shall have to follow the due process of law, either by negotiating with the petitioner or by acquiring the land under Land Acquisition Act, 1894.

The writ petition is, therefore, dismissed. No costs.

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(**V.V.S.RAO, J**)

December 23, 2005.

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